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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

In re: NATIONAL SECURITY AGENCY TELECOMMUNICATIONS RECORDS LITIGATION	MDL Dkt. No. 06-1791-VRW **STIPULATION RE: BRIEFING SCHEDULE FOR MOTION TO STAY [Dkt. 67-69]; AND [PROPOSED] ORDER**
This Document Relates To: ALL CASES	Courtroom: 6, 17th Floor Judge: Hon. Vaughn R. Walker

Dockets.Justia.com

RECITALS

A. On November 7, 2006, the Government filed a Motion to Stay MDL Proceedings, Dkt. 67-69 ("Motion to Stay"). (As in the Joint Case Management Statement, Dkt. 61, "the Government" refers to the federal defendants sued in their official capacities in these actions and the federal intervenor-defendants (United States of America, National Securities Agency, President George W. Bush).)

B. On November 17, 2006, the Court set the hearing on the Motion to Stay for February 1, 2007 at 2 p.m. Pretrial Order No. 1, Dkt. 79, at 2:13-14.

C. Various of the Carriers anticipate filing joinders in the Motion to Stay.

D. Absent adjustment, a briefing schedule set in accordance with the Civil Local Rules would cause due dates to fall in the middle of the holidays.

E. The parties wish to avoid inconvenient due dates and also wish to reach agreement on page limits.

STIPULATION

Plaintiffs, through their Co-Lead Coordinating Counsel, the AT&T Defendants, the Verizon Defendants, the BellSouth Defendants and the Sprint Nextel Defendants (these groups of defendants are defined as they are in footnotes 3 through 6 of the Joint Case Management Statement, Dkt. 61, at 2) (collectively, the "Major Carriers"), through their respective attorneys of record, and the Government, through their attorneys of record, hereby stipulate to the following schedule and page limits and request that the Court make this stipulation an order of the Court:

1. Any and all joinders in the Motion to Stay (including supporting documents) shall be e-filed by noon, Pacific time, on Friday, December 22, 2006.

2. The memorandum or memoranda supporting any and all joinders filed by the Major Carriers shall collectively not exceed 35 pages.

3. Plaintiffs shall e-file a consolidated opposition to the Motion to Stay and to any and all joinders to the Motion to Stay no later than January 10, 2007.

4. Plaintiffs' consolidated opposition shall not exceed in length the sum of (a) the number of pages in the Motion to Stay (23 pages) plus (b) the collective number of pages in the memoranda supporting any and all joinders filed by the Major Carriers (which, as set forth in paragraph 2 above, shall not exceed 35 pages) plus (c) the collective number of pages in any memoranda supporting any joinder filed by any and all defendants other than the Major Carriers. (Counsel for defendants other than the Major Carriers have indicated to the undersigned that they are unlikely to be filing any such memoranda.)

5. The Government and the Major Carriers shall e-file their replies no later than January 22, 2007.

Dated: December 1, 2006.

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By */s/ Anthony J. Coppolino per G.O. 45*
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DECLARATION PURSUANT TO GENERAL ORDER 45, § X.B

I, BRUCE A. ERICSON, hereby declare pursuant to General Order 45, § X.B, that I have obtained the concurrence in the filing of this document from each of the other signatories listed above and below.

I declare under penalty of perjury that the foregoing declaration is true and correct.

Executed on December 1, 2006, at San Francisco, California.

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[PROPOSED] ORDER

Pursuant to the foregoing stipulation, and good cause appearing,

IT IS SO ORDERED.

Dated: December __, 2006.

____

Hon. Vaughn R. Walker
United States District Chief Judge